

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>EDWARDLEE JOHNSON,</b>	)	<b>CASE NO. 1:16CV632</b>
	)	
<b>Petitioner,</b>	)	<b>SENIOR JUDGE</b>
	)	<b>CHRISTOPHER A. BOYKO</b>
<b>vs.</b>	)	
	)	
<b>CHRISTOPHER J. LAROSE, Warden,</b>	)	<b>MEMORANDUM OF</b>
	)	<b>OPINION AND ORDER</b>
<b>Respondent.</b>	)	

**CHRISTOPHER A. BOYKO, S.J.:**

This matter is before on the court on Magistrate Judge William H. Baughman, Jr.'s Report and Recommendation (Doc. 35) to deny Ground Three of Petitioner Johnson's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1) on its merits. Objections to the Report and Recommendation were due by January 26, 2022. Petitioner has not filed an objection to the Report and Recommendation and there is no indication that Petitioner (or his counsel) did not receive the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. Fed. R. Civ. P. 72(b)(2). Petitioner has failed to timely file any such objection. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge (Doc. 35); and **DENIES** Ground Three of Petitioner's Petition on the merits.

The Court finds an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3). Since Petitioner has not made a substantial showing of a denial of a constitutional right directly related to his conviction or custody, the Court declines to issue a certificate of appealability. 28 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b); Rule 11 of Rules Governing § 2254 Cases.

**IT IS SO ORDERED.**

s/ Christopher A. Boyko  
**CHRISTOPHER A. BOYKO**  
Senior United States District Judge

**Dated: February 2, 2022**